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Justice Aides Think Billy Got Tip-Off

Investigator Sought Intelligence Report

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Justice Department investigators in the Billy Carter case believe the president's brother was tipped off that the department had received solid evidence he was getting payments from Libya, government sources say.

The Washington Star also has learned that Attorney General Benjamin R. Civiletti withheld for at least a week a crucial document confirming payments from Libya to Billy Carter from the Justice Department's chief investigator in the case.

Justice Department investigators received a call from John S. Parks, the Americus, Ga., lawyer for Billy Carter, on June 9 inquiring about the status of the case.

At the moment the call from Parks came in, Joel S. Lisker, the department's chief investigator in the case, was for the first time receiving an intelligence agency document confirming the payments to Billy Carter, which he had been told of earlier but had been unable to obtain from higher ranking Justice Department officials. Civiletti had the document since at least June 2, sources told The Star.

Billy Carter has said that Lisker refused to talk to Parks and that he called Lisker himself on June 10 to request a meeting June 11 as soon as he arrived from the airport.

At the June 11 meeting, after being prodded slightly by Lisker, Billy Carter disclosed that he had received \$220,000 from Libya. Immediately after that meeting, Billy Carter went to the White House, where he consulted with the president's national security adviser, Zbigniew Brzezinski, and with White House Counsel Lloyd N. Cutler.

On June 11, at a meeting following Billy Carter's admission that day to Lisker that he had received the Libyan payments, Civiletti took the unusual step of urging Lisker and others directly responsible for the case to "wait for 10 days to see what happens," sources said.

Civiletti could not be reached for comment. But Justice Department officials said they expect to issue a statement later today on Civiletti's role in the Billy Carter case.

Justice Department officials are reasonably confident, but not certain, that they did not ask any questions during the course of the investigation that would have led any people who are familiar with Billy Carter's dealings to believe that there was evidence of the Libyan payments.

The officials also note that although details of the investigation were closely guarded, perhaps as many as two dozen department employees may have known at some time in June about some aspect regarding the Libyan payments.

There is also uncertainty at the Justice Department about how widespread the dissemination was of some intelligence reports, notably one sanitized CIA report in March about oil company activities that apparently contained information about Billy Carter's oil brokerage arrangement with the Charter Oil Co. of Jacksonville, Fla.

While neither Billy Carter nor Charter was said to be named directly in that report, which went to Brzezinski and others, the Justice Department is not certain how many people had access to other information that could have been matched easily to the CIA report to figure out the identities of Billy Carter and the oil company.

The president on Monday said in his report, "No one in the White House furnished information about the investigation to Billy or anyone associated with him at any time."

Highly placed intelligence sources had told The Star that the information was relayed directly to Civiletti in April. Other sources said, however, that the supporting documents may not have been passed on to the attorney general until as late as June 2.

But, citing the need to make certain that the "sources and methods" of obtaining the information were "closely held," Civiletti refused to disclose the documents to Lisker, chief of the department's foreign agents registration unit, until a morning meeting on June 9.

The attorney general informed Assistant Attorney General Philip B. Heymann, chief of the criminal division, several deputy assistant attorneys general and some of his personal assistants sometime around June 2.

But Lisker, who had heard of the information earlier, was not permitted to see the intelligence report itself until his immediate boss, John L. Martin, chief of the internal security unit, protested to the attorney general that the report had to be given to the chief Billy Carter investigator.

During an interview with reporters a week ago, Lisker said he had received the unusual instruction during the late spring "not to close" the investigation of Billy Carter, then more than 15 months old. Lisker said he had not planned to close the case anyway, but added that he later believed that the instruction was related to the intelligence information Civiletti had received.

After negotiating for more than a month with two Washington lawyers representing Billy Carter, the Justice Department filed a civil complaint against the president's brother charging him with violating the Foreign Agents Registration Act. Under terms of a U.S. District Court consent agreement, Billy Carter registered July 14 as a foreign agent for Libya and disclosed that he had received the payments.

The intelligence report was identified by sources as the one referred to in a section of the report President Carter relayed Monday to the special Senate subcommittee investigating the affair.

The counsel's section of the president's report said, "We have determined that a United States intelligence agency did receive information about these payments to Billy Carter in April 1980 and that sometime before June 11 the head of the organization provided this information directly to the Department of Justice and only to the Department of Justice."

"We have been assured by the head of the organization that this intelligence information was not furnished to the president or to anyone on the White House staff," the president's report said.

Washington Star Staff Writers Lyle Denniston and Roberta Hornig contributed to this report.